

How to Form an LLC in West Virginia Yourself (2026 Costs and Steps)

A free step-by-step guide from BusinessOwner.com. State information verified from official sources on September 15, 2026.

Quick answer

The total state cost to file online is \$101, which includes the \$100 filing fee and the \$1 Online processing fee. File your Articles of Organization of Limited Liability Company (Form LLD-1) with the West Virginia Secretary of State, Business & Licensing Division at <https://business4.wv.gov/>. Standard processing takes 5-10 business days.

Step 1: Check that your LLC name is available

Search the agency's business name records before filing to ensure your desired name is available.

Step 2: Choose a registered agent

Designating an agent for service of process is optional in West Virginia. The statute says an LLC "may" maintain one, and the form asks for an agent "if any." If you do designate an agent, it may be an individual resident of West Virginia (so a resident member qualifies), a domestic corporation, another LLC, or an authorized foreign corporation/company. Regardless of whether you designate an agent, the articles must still list a designated physical office.

Step 3: File your Articles of Organization of Limited Liability Company (Form LLD-1)

Submit Form LLD-1 to the West Virginia Secretary of State, Business & Licensing Division. You can file online or by mail. The filing fee is \$100 for both methods. If you file online, an additional \$1 Online processing fee applies.

You may choose expedited processing if available:

- **24-hour / next business day:** \$25 fee. Available for paper and online filings (selected in the One Stop Business Portal cart). The paper order form also lists in-person same-day service at the same price.
- **2-hour:** \$250 fee. In addition to the filing fee.
- **1-hour:** \$500 fee. In addition to the filing fee.

Step 4: Create an operating agreement

Create an operating agreement to outline how your LLC will operate. This document typically covers ownership percentages, member and manager roles, voting procedures, and what happens if a member leaves.

Step 5: Get your EIN from the IRS

Get your Employer Identification Number (EIN) from the IRS. This service is free. You can apply at <https://www.irs.gov/ein>.

Step 6: Keep your LLC in good standing

File an Annual Report to keep your LLC in good standing. The report is due between January 1 and June 30 each year, starting the calendar year after the LLC was registered. The fee is \$25. You must file this online through the One Stop Business Portal, which adds a \$1.00 online processing fee.

If you file your Annual Report after June 30, it costs \$75.00, which includes a \$50.00 late fee.

From July 1, 2026, an LLC with five consecutive timely annual reports may elect biennial reporting at \$50 every two years instead of the annual report. Veteran-owned entities have the fee waived for four years after formation.

West Virginia's Business Franchise Tax was phased out: no tax is due for taxable years beginning on or after January 1, 2015 (W. Va. Code 11-23-6).

Frequently asked questions

How much does it cost to file an LLC in West Virginia?

The total state cost to file online is \$101, which includes the \$100 filing fee and the \$1 Online processing fee. The filing fee is \$100 if you file by mail.

When is the Annual Report due?

The Annual Report is due between January 1 and June 30 each year, starting the calendar year after the LLC was registered.

Can I designate myself as the registered agent?

Yes. Designating an agent for service of process is optional in West Virginia. If you do designate an agent, it may be an individual resident of West Virginia (so a resident member qualifies).

Is there a franchise tax for LLCs in West Virginia?

No. West Virginia's Business Franchise Tax was phased out: no tax is due for taxable years beginning on or after January 1, 2015.

Are there expedited filing options?

Yes. You can pay \$25 for 24-hour / next business day processing, \$250 for 2-hour processing, or \$500 for 1-hour processing.

Want us to file it for you? \$249 plus state fees.

Want the whole business set up? Book a call with BusinessOwner.com.

Sources

Official sources, last verified September 15, 2026:

- [One Stop Business Portal](https://business4.wv.gov/)
<https://business4.wv.gov/>
- [Business | WV Secretary of State](https://sos.wv.gov/business)
<https://sos.wv.gov/business>
- [Register a New WV Business | WV Secretary of State](https://sos.wv.gov/register-new-wv-business)
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- [sos.wv.gov: download](https://sos.wv.gov/media/282/download?inline=)
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- [WEST VIRGINIA ARTICLES OF ORGANIZATION OF LIMITED LIABILITY COMPANY | WV Secretary of State](https://sos.wv.gov/document-search/west-virginia-articles-organization-limited-liability-company)
<https://sos.wv.gov/document-search/west-virginia-articles-organization-limited-liability-company>
- [Expedite Service | WV Secretary of State](https://sos.wv.gov/business/general-information/expedite-service)
<https://sos.wv.gov/business/general-information/expedite-service>
- [Limited Liability Companies | WV Secretary of State](https://sos.wv.gov/limited-liability-companies)
<https://sos.wv.gov/limited-liability-companies>
- [Annual Reports | WV Secretary of State](https://sos.wv.gov/business/updates-and-changes/annual-reports)
<https://sos.wv.gov/business/updates-and-changes/annual-reports>
- [West Virginia Code | §31B-1-108](https://code.wvlegislature.gov/31B-1-108/)
<https://code.wvlegislature.gov/31B-1-108/>
- [West Virginia Code | §59-1-2a](https://code.wvlegislature.gov/59-1-2a/)
<https://code.wvlegislature.gov/59-1-2a/>
- [West Virginia Code | §11-23-6](https://code.wvlegislature.gov/11-23-6/)
<https://code.wvlegislature.gov/11-23-6/>
- [Business Registration Frequently Asked Questions](https://tax.wv.gov/Business/BusinessRegistration/Pages/BusinessRegistrationQuestionsAndAnswers.aspx)
<https://tax.wv.gov/Business/BusinessRegistration/Pages/BusinessRegistrationQuestionsAndAnswers.aspx>
- [IRS: Get an employer identification number](https://www.irs.gov/ein)
<https://www.irs.gov/ein>

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